

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 07-SC-4777 (PJS/JJG)

UNITED STATES OF AMERICA,)
ex rel. KATHY ONWEZEN, ELAINE)
BENNETT, and ALAN BRILL)
)
Plaintiff-Relators,)
)
v.)
)
MEDTRONIC, INC.,)
)
Defendant.)
_____)

ORDER

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States and Relators Kathy Onwezen, Elaine Bennett, and Alan Brill (“Relators”) filed a Stipulation of Dismissal of this action. Upon due consideration of the Stipulation, and the papers on file in this action,

IT IS HEREBY ORDERED that, consistent with the terms of the November 23, 2011, Settlement Agreement executed by the United States, Defendant, and Relators (the “Settlement Agreement”), all claims asserted on behalf of the United States against Defendant concerning the Covered Conduct as defined in Recital Paragraph G of the Settlement Agreement shall be dismissed with prejudice; and

IT IS FURTHER ORDERED that, consistent with the terms and conditions of the Settlement Agreement, all other claims asserted on behalf of the United States for claims other than the Covered Conduct shall be dismissed without prejudice as to the United States and with prejudice as to Relators; and

IT IS FURTHER ORDERED that all claims asserted on behalf of Relators for attorneys' fees under 31 U.S.C. § 3730(d) and for retaliation under 31 U.S.C. § 3730(h) shall be dismissed with prejudice;

IT IS FURTHER ORDERED that the Court shall retain jurisdiction over any disputes that may arise regarding compliance with the Settlement Agreement.

IT IS SO ORDERED, this 6th day of December, 2011.

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge